

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

MATTHEW L. McCARTHY (CABN 217871)  
Assistant United States Attorney

450 Golden Gate Avenue, 11th Floor  
San Francisco, California 94102  
Telephone: (415) 436-6488  
Fax: (415) 436-6838  
Email: Matthew.McCarthy@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
GERARDO GUSTAVO CASTRO )  
ARELLANO, )  
 )  
Defendant. )

No. CR 12-502 RS

~~PROPOSED~~ ORDER EXCLUDING  
TIME FROM OCTOBER 30, 2012  
THROUGH NOVEMBER 20, 2012

~~PROPOSED~~ ORDER  
CR 12-502 RS

**[PROPOSED] ORDER**

On October 30, 2012, the parties in this case appeared before the Court. At that time, the parties stipulated that time should be excluded from the Speedy Trial Act calculations from October 30, 2012 through November 20, 2012 for effective preparation of counsel. The parties represented that the exclusion was for the reasonable time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

As the Court found on October 30, 2012, and for the reasons stated above, the Court finds that an exclusion of time from October 30, 2012 through November 20, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(7)(B)(iv).

SO ORDERED.

DATED: 11/20/12

  
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THE HONORABLE RICHARD SEEBORG  
United States District Court Judge